



Dkt. 040017

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Group Art Unit: 1616

JACQUES PARIS et al

Examiner: Sabiha Naim Qazi

Serial No. 09/423,109

Filed: October 29, 1999

For: NEW HORMONAL COMPOSITION AND ITS USE

RESPONSE

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Office Action of August 2, 2005 has been carefully considered.

Claims 3, 4, 7, 8, 13 and 18 stand rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. The Office action states that "Claim 18 as amended contains 'correcting estrogen deficiencies' which was not found in the disclosure and is considered new matter. The word 'correcting' is broad and lack [sic] a written description."

Claim 18 does not contain new matter. Attention is directed to page 1 of the specification, lines 5 through 7: "[m]ore precisely, its subjects are new pharmaceutical compositions formed of an estrogen-progestative association designed to correct estrogen deficiencies in women, regardless of their origin, and more particularly in menopausal women."

Thus, the patent application as filed contemplated use of